



# San Diego County Sheriff's Department

Post Office Box 939062 • San Diego, California 92193-9062



*William D. Gore, Sheriff*

January 22, 2019

Aaron Swartz Police Surveillance Project  
c/o MuckRock News  
DEPT MR 66597  
411A Highland Ave.  
Somerville, MA 02144-2516

Email: [66579-97096219@requests.muckrock.com](mailto:66579-97096219@requests.muckrock.com)  
[66578-06033369@requests.muckrock.com](mailto:66578-06033369@requests.muckrock.com)  
[66614-26912680@requests.muckrock.com](mailto:66614-26912680@requests.muckrock.com)  
[66590-48573558@requests.muckrock.com](mailto:66590-48573558@requests.muckrock.com)

## **VIA U.S. MAIL and E-MAIL**

Dear Project Representative:

The San Diego County Sheriff's Department in receipt of four<sup>1</sup> separate requests from the Aaron Swartz Police Surveillance Project, all dated December 26, 2018 seeking records pursuant to the California Public Records Act (CPRA). On January 7, 2019, the Sheriff's Department is extended the response date for this response by 14 days pursuant to Government Code section 6253(c)(1), (2) and (3). The Sheriff's Department now responds to the requests. For ease of response, we are responding to all four requests in one consolidated response.

### *Body-Worn Cameras*

The San Diego County Sheriff's Department, as of December 27, 2018, had 1348 BWCs. They are manufactured by Axon, which also provides a data package.

The Sheriff's Department is still in the process of gathering and reviewing all of its Policies and Training Materials regarding BWCs. We reserve the right to assert any exemption and/claim of privilege over any such materials. We estimate that this process will be completed on or before February 5, 2019.

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<sup>1</sup> Five letters were received by the Sheriff's Department dated December 26, 2018: Two identical requests for information pertaining to UAVs, one pertaining to Body-Worn Cameras (BWCs), one pertaining to Facial Recognition equipment, and one pertaining to Thermal Cameras.

"Litigation" – to the extent your request seeks copies of court filings generated as a result of any litigation over Body-Worn Cameras, such records, if such records exist, would be with the Office of County Counsel.

### UAVs

The San Diego County Sheriff's Department, as of December 27, 2018, had 14 UAVs, all owned by the Sheriff's Department.

Policies and Training Materials regarding UAVs are contained in the attached CD-R drive, in the file folder labeled "UAV". Please also note that the San Diego County Sheriff's Department Manual of Policies and Procedures is available online at <https://www.sdsheriff.net/policies.html>

"Litigation" – to the extent your request seeks copies of court filings generated as a result of any litigation over UAVs, such records, if such records exist, would be with the Office of County Counsel.

### Facial Recognition

The system we use primarily is called "Mugshot", and it is a product by Data Works Plus. We have no record of how many pieces of equipment the software installed on. The software is downloaded as an "app" on a deputy's tablet and/or smartphone. The contract with Data Works Plus allows for an unlimited number of licenses.

Policies and Training Materials that may be responsive are contained in the attached CD-R drive, in the file folder labeled "Facial Recognition". Please also note that the San Diego County Sheriff's Department Manual of Policies and Procedures is available online at <https://www.sdsheriff.net/policies.html>

"Litigation" – to the extent your request seeks copies of court filings generated as a result of any litigation over Facial Recognition software, such records, if such records exist, would be with the Office of County Counsel.

### Thermal Imaging/Infrared Cameras

The San Diego County Sheriff's Department, as of December 27, 2018, had 19 Infrared cameras.

Policies and Training Materials that may be responsive are contained in the attached CD-R drive, in the file folder labeled "Thermal". Please also note that the San Diego County



Sheriff's Department Manual of Policies and Procedures is available online at <https://www.sdsheriff.net/policies.html>

"Litigation" – to the extent your request seeks copies of court filings generated as a result of any litigation over infrared cameras, such records, if such records exist, would be with the Office of County Counsel.

Documents or Correspondence...Regarding Possible or Planned Acquisition

All four of your requests seek "Documents or correspondence during the period encompassing this request [January 1, 2015 – present] regarding possible or planned acquisition" of the equipment that is the subject of your request. The Sheriff's Department is still in the process of gathering and reviewing all records responsive to these components of the requests. We reserve the right to assert any exemption and/claim of privilege over any such materials. We estimate that this process will be completed on or before February 5, 2019.

However, the Sheriff's Department is able to produce, at this time, a copy of the contract, as well as parts of the contract component documents, for our Facial Recognition system.<sup>2</sup> These documents are contained in the attached CD-R drive, in the file folder labeled "Facial Recognition". Nevertheless, we cannot be certain that what we have represents the entire contract. We therefore would refer you to the San Diego County Department of Purchase and Contracting<sup>3</sup>, which is the repository for all County contracts and related documents, including requests for bids, requests for proposals, amendments, etc., if you would like to obtain copies of the contract from the official repository for contract documents.

Sincerely,

WILLIAM D. GORE, Sheriff



Sanford A. Toyen, Legal Advisor  
Office of the Sheriff, Legal Affairs Unit

Enclosure: CD-ROM (U.S. Mail Only)

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<sup>2</sup> While the contract predates 2016, some purchase orders and other documents that may be considered part of the contract were created after 2016. Nevertheless, we have produced all contract documents in our possession, regardless of date.

<sup>3</sup> [https://www.sandiegocounty.gov/content/sdc/purchasing/contact\\_us.html](https://www.sandiegocounty.gov/content/sdc/purchasing/contact_us.html)